United Nations A/AC.154/375

General Assembly

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26 June 2007

Original: English

Committee on Relations with the Host Country

Letter dated 13 June 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Chairman of the Committee

I have the honour to address you in your capacity as Chairman of the Committee on Relations with the Host Country, in order to convey to you my deepest concern about the fact that the authorities of the host country, in an arbitrary and unjustifiable manner, have denied the request made by Juana Elena Ramos Rodriguez, Counsellor, and Ismara Vargas Walter, Third Secretary of the Permanent Mission of Cuba to the United Nations, to travel beyond the 25-mile radius from Columbus Circle in New York City, in order to participate in the informal meeting of the Working Group on the Crime of Aggression, chaired by the Permanent Representative of Liechtenstein and open to participation by all States Members of the United Nations, to be held from 11 to 14 June 2007, at Princeton University, New Jersey.

We once more regret that the host country authorities have continued to deny Cuban diplomats, on certain occasions, requests to travel to attend forums and meetings related to the United Nations or organized by missions accredited to the Organization on items that are debated on its agenda, held beyond the 25-mile radius, which is a limit imposed on the general rule of free movement of diplomats.

This practice places the officials of the Cuban Mission in a disadvantageous position with regard to the negotiation, consideration and document adoption processes.

The policy of applying movement restrictions to Cuban diplomats and international officials with Cuban citizenship accredited to the United Nations or who work in the Organization is unjust, selective, discriminatory and politically motivated, which contravenes the obligations of the host country contained in the Headquarters Agreement, as well as the provisions of the international legal instruments on diplomatic privileges and immunities to which the United States is a State party. Likewise, they are contrary to the letter and spirit of the Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character of 14 March 1975.

07-39597 (E) 280607

We once more urge the host country to reconsider its position on the issues we have pointed out, according to the general principles of international law of equality and non-discrimination.

I also have the honour to request the inclusion in the agenda of the next meeting of the Committee on Relations with the Host Country of an item related to the circulation restrictions imposed by the host country on certain permanent missions accredited to the United Nations, including the Permanent Mission of Cuba.

I would very much appreciate it if this letter would be distributed as a document of the Committee on Relations with the Host Country.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative

United Nations A/AC.154/376

General Assembly

Distr.: General
29 June 2007
English
Original: Arabic

Committee on Relations with the Host Country

Note verbale dated 29 June 2007 from the Permanent Mission of the Sudan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Sudan to the United Nations presents its compliments to the Chairman of the Committee on Relations with the Host Country and has the honour to inform him that the Minister of the Environment and Urban Development and head of the Sudanese delegation to the fifteenth session of the Commission on Sustainable Development, held in New York from 30 April to 11 May 2007, was unable to attend those meetings because he was not granted an entry visa.

The Minister had presented his request for an entry visa to the United States Embassy in Khartoum on 3 April 2007. Up to 3 May 2007, the date on which the session was to end, the Embassy had not granted the entry visa and had not given any justification for its action.

The unjustified position of the United States authorities is a violation of their obligations under the Headquarters Agreement concluded between the United States and the United Nations. It is also a flagrant violation of all international agreements and norms regarding diplomatic immunities and privileges as well as a departure from well-established diplomatic norms governing relations between States.

The inability of the Minister to head the Sudanese delegation diminished the level at which it was represented and had a negative effect on its participation in those important meetings. The Sudan ascribes particular importance to those meetings, owing to their relationship to its efforts to achieve sustainable development, confront environmental challenges and overcome the causes of tension and the consequences of the struggle over resources.

The Permanent Mission of the Sudan would like to request that this matter be placed on the agenda of the next meeting of the Committee on Relations with the Host Country and that this note verbale be circulated as an official document of the Committee.

07-40768 (E) 030707 030707

United Nations A/AC.154/377

General Assembly

Distr.: General
12 July 2007

Original: English

Committee on Relations with the Host Country

Letter dated 5 July 2007 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Chairman of the Committee

I have the honour to bring the following to your attention, in your capacity as the Chairman of the Committee on Relations with the Host Country.

The authorities of the host country, in an arbitrary and unjustifiable manner, denied the request made by Mr. Esmaeil Baghaei Hamaneh, Second Secretary of the Permanent Mission of the Islamic Republic of Iran to the United Nations, to travel to Princeton University, New Jersey, in order to participate in the intersessional meeting of the Working Group on the Crime of Aggression that was held from 11 to 14 June 2007.

Indeed, the United States Government, by refusing the request for travel permission for Iranian diplomats and representatives to attend meetings related to United Nations programmes and activities that are held outside the 25-mile radius from Columbus Circle in New York City, deprives my Government from exercising its sovereign right to participate in meetings and processes related to the United Nations.

Applying travel restrictions to Iranian diplomats is in itself an unjust, discriminatory and politically motivated policy, which not only contravenes the obligations of the host country contained in the Headquarters Agreement but also violates the provisions of the universal instruments on diplomatic privileges and immunities. Such policy is also contrary to the Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character of 14 March 1975.

It is of vital importance that the host country be urged to respect its obligations and responsibilities arising from the Headquarters Agreement, as well as other relevant international instruments, and take urgent measures to avoid the repetition of such violations as above.

I would appreciate it if you would have the present letter circulated as a document of the Committee on Relations with the Host Country.

(*Signed*) M. Javad **Zarif**

07-42376 (E) 160707

United Nations A/AC.154/378

General Assembly

Distr.: General
5 July 2007

Original: English

Committee on Relations with the Host Country

Note verbale dated 5 July 2007 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee

I have the honour to transmit a copy of a note verbale dated 6 July 2007 (see annex) that has been sent by the United States Mission to the United Nations to the Permanent Mission of Cuba to the United Nations as a response to the note verbale from the latter dated 13 June 2007 (A/AC.154/375). I request that you circulate the attached diplomatic note as a document of the Committee on Relations with the Host Country.

(*Signed*) Russell **Graham**
Minister Counsellor for Host Country Affairs

07-42387 (E) 170707

Annex to the note verbale dated 5 July 2007 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

The United States Mission to the United Nations presents its compliments to the Permanent Mission of Cuba to the United Nations and, in reference to the latter's note of 13 June 2007, wishes to clarify the nature of travel restrictions imposed on certain members of the United Nations diplomatic community, including the members of the Permanent Mission of Cuba.

Representatives of United Nations Member States are provided entry into the United States for the purpose of conducting official United Nations business. Representatives of those United Nations Member States who are subject to travel restrictions are not impeded from travel for the purpose of conducting official United Nations business. However, the United States does not have a legal obligation to approve travel outside the 25-mile limit from Columbus Circle for members of the Cuban Mission for personal reasons or for events that are not official United Nations meetings. As the meeting of the Informal Working Group on the Crime of Aggression to which the Cuban note verbale refers was not an official United Nations meeting, the United States was not legally obligated to permit attendance and chose not to extend this courtesy.

The United States Mission to the United Nations avails itself of this opportunity to renew to the Permanent Mission of Cuba to the United Nations the assurances of its highest consideration.

United Nations A/AC.154/379

General Assembly

Distr.: General
16 July 2007

Original: English

Committee on Relations with the Host Country

Letter dated 11 July 2007 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee

I have the honour to transmit herewith a copy of a note verbale dated 11 July 2007 (see annex) that has been sent by the United States Mission to the United Nations to the Permanent Mission of the Islamic Republic of Iran to the United Nations in response to the latter's note verbale of 5 July 2007. I request that you circulate the present letter and its annex as a document of the Committee.

(*Signed*) Russell **Graham**
Minister Counsellor for Host Country Affairs

07-42951 (E) 190707

Annex to the letter dated 11 July 2007 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee

The United States Mission to the United Nations presents its compliments to the Permanent Mission of the Islamic Republic of Iran to the United Nations and in reference to the latter's note of 5 July 2007, wishes to clarify the nature of travel restrictions imposed on certain members of the United Nations diplomatic community, including the members of the Permanent Mission of the Islamic Republic of Iran.

As indicated in the 9 July 2007 meeting of the Committee on Relations with the Host Country, representatives of the States Members of the United Nations are provided entry into the United States for the purpose of conducting official United Nations business. However, the United States does not have a legal obligation to approve travel outside the 25-mile limit from Columbus Circle for members of the Iranian Mission for personal reasons or for events that are not official United Nations meetings. As the informal meeting of the working group on the crime of aggression, to which the Iranian note verbale refers, was not an official United Nations meeting, the United States was not legally obligated to permit attendance and chose not to extend that courtesy.

United Nations A/AC.154/380

General Assembly

Distr.: General
18 July 2007

Original: English

Committee on Relations with the Host Country

Note verbale dated 13 July 2007 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee

The United States Mission to the United Nations presents its compliments to the Chairman of the Committee on Relations with the Host Country and has the honour to refer to the note verbale dated 29 June 2007 addressed to him by the Permanent Mission of the Sudan to the United Nations (A/AC.154/376) regarding the inability of the head of the Sudanese delegation to the fifteenth session of the Commission on Sustainable Development to attend the session because he was not granted a United States entry visa.

At the 233rd meeting of the Committee, held on 9 July 2007, the United States delegation expressed its regret that His Excellency Ahmad Babiker Ahmad Nahar, Minister of the Environment and Urban Development, was not accorded a visa in time for the meeting. The United States delegation further noted that a visa had not been denied. Had the United States Mission been informed that the Minister's visa request was still pending at the time of his planned departure, it would have recommended to the appropriate host country authorities that corrective action be taken in this regard. In addition, the Deputy Chief of Mission at the United States Embassy in Khartoum has informed the United States Mission to the United Nations that he would be happy to serve as a point of contact for the Ministry of Foreign Affairs of the Sudan if such visa delays were to occur in the future.

The United States Mission requests that this note be circulated as a document of the Committee on Relations with the Host Country.

(*Signed*) Russell **Graham**
Minister Counsellor for Host Country Affairs

07-43104 (E) 240707

United Nations A/AC.154/381

General Assembly

Distr.: General
31 July 2007

Original: English

Committee on Relations with the Host Country

Letter dated 23 July 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

I have the honour to address you in your capacity as Chairman of the Committee on Relations with the Host Country, and to enclose herewith a note verbale dated 20 July 2007 sent to the United States Mission to the United Nations by the Permanent Mission of Cuba to the United Nations, expressing the latter's grave concern over the attack against one of its officers on 11 July 2007 (see annex).

In this regard, I kindly request that the present letter and its annex be circulated as a document of the Committee on Relations with the Host Country.

(*Signed*) Rodolfo **Benítez Verson**
Chargé d'affaires a.i.

07-44630 (E) 060807

Annex to the letter dated 23 July 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

[Original: English and Spanish]

New York, 20 July 2007

The Permanent Mission of Cuba to the United Nations presents its compliments to the United States Mission to the United Nations and has the honour to inform the latter of an incident involving Enrique Ávila Ojeda, an administrative officer of the Cuban Mission, as described hereunder:

1. On the afternoon of 11 July 2007, Mr. Ávila Ojeda, while fulfilling duties inherent to his post, was on his way back to the Cuban Mission, driving a vehicle with diplomatic plate 087 DCD, belonging to our Mission.

2. While approaching the intersection of 21st Street and 40th Avenue, Queens, New York, Mr. Ávila Ojeda slowed down to stop at a traffic light. At this point, a light grey Honda vehicle drove out of the parking lot of a Pep Boys shop located in that area without waiting for Mr. Ávila to completely clear the parking lot exit.

3. Owing to the recklessness of the driver of the Honda, he hit the rear bumper of the vehicle of the Cuban Mission driven by Mr. Ávila Ojeda. This caused Mr. Ávila Ojeda to stop his vehicle.

4. The driver of the Honda approached Mr. Ávila Ojeda, speaking angrily in English.

5. Mr. Ávila Ojeda, who does not speak English, tried to explain with the few words he knows in that language that they should call the police and reached for his cell phone to report the incident to the Chief Administrative Officer of the Cuban Mission.

6. At this point, the driver of the Honda — taking advantage of the fact that Mr. Ávila Ojeda was inside the vehicle, trying to call the Cuban Mission — punched him in his right eye, leaving him stunned and causing injuries to his right cheekbone and eyebrow.

7. When Mr. Ávila Ojeda recovered from the blow, he saw the driver of the Honda running away.

8. Mr. Ávila Ojeda at all times remained inside his vehicle.

9. Mr. Ávila Ojeda's cell phone call records show that this incident took place at exactly 4.18 p.m.

The Permanent Mission of Cuba would like to express its grave concern over this attack against one of its officers and over the existing insecurity in New York for officials of Permanent Missions accredited to the United Nations.

The Permanent Mission of Cuba urges the authorities of the host country to take the appropriate measures to prevent the occurrence of such incidents, which hinder the daily work of the Permanent Missions based in New York.

United Nations A/AC.154/382

General Assembly

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31 July 2007

Original: English

Committee on Relations with the Host Country

Letter dated 25 July 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

I have the honour to address you in your capacity as Chairman of the Committee on Relations with the Host Country, attaching a note verbale dated 24 July 2007 addressed to the United States Mission to the United Nations by the Permanent Mission of Cuba to the United Nations (see annex).

I would appreciate it if you would distribute the present letter and its annex as a document of the Committee on Relations with the Host Country.

(*Signed*) Rodolfo **Benitez Verson**
Chargé d'affaires a.i.

07-44637 (E) 030807

Annex to the letter dated 25 July 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

[Original: English and Spanish]

New York, 24 July 2007

The Permanent Mission of Cuba to the United Nations presents its compliments to the United States Mission to the United Nations and has the honour to refer to the latter's note dated 6 July 2007, in response to the note dated 13 June 2007 sent by the Permanent Mission of Cuba expressing deep concern over the denial of permission requested by two Cuban diplomats to travel beyond the 25-mile radial area from Columbus Circle to attend an informal meeting of the Working Group on the Crime of Aggression, chaired by the Permanent Representative of Liechtenstein and open to the participation of all States Members of the United Nations, which was held at Princeton University, New Jersey, from 11 to 14 June 2007.

In its note, the United States Mission to the United Nations states that it "wishes to clarify the nature of travel restrictions imposed on certain members of the United Nations diplomatic community, including the members of the Permanent Mission of Cuba".

The Permanent Mission of Cuba to the United Nations has no doubt about the nature of the restrictions imposed on the movement of Cuban diplomats and other international officers with Cuban citizenship, accredited to the United Nations or serving in it. Such restrictions are completely unfair, selective, discriminatory and politically motivated and contravene the host country's obligations under the Headquarters Agreement between the United Nations and the host country, as well as the provisions of other international legal instruments relative to diplomatic prerogatives and immunities, to which the United States of America is a party. Likewise, those restrictions are contrary to the letter and the spirit of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March 1975.

Also, the aforementioned note of the United States Mission, in its effort to justify the unjustifiable, says that "As the meeting of the Informal Working Group on the Crime of Aggression to which the Cuban note verbale refers was not an official United Nations meeting, the United States was not legally obligated to permit attendance and chose not to extend this courtesy."

The Permanent Mission of Cuba deems these arguments unacceptable and would like to reiterate its profound concern over the fact that United States authorities utterly ignore their international obligations and consider the legitimate right of Cuba to attend this meeting as a mere "courtesy".

The Permanent Mission of Cuba to the United Nations reiterates that the informal meeting of the Working Group on the Crime of Aggression held in Princeton was organized by a Permanent Mission to the United Nations. Furthermore, it is concerned with one of the agenda items under debate in the General Assembly, entitled "Report of the International Criminal Court".

The Permanent Mission of Cuba to the United Nations once again urges the authorities of the host country to reconsider their position on the issue at hand and abide by their obligations under international treaties, in full observance of the general principles of the rule of law.